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1. Definitions. This section of the procedure manual defines the principal terms used in the EEOICPA PM.

a. Act or EEOICPA means the Energy Employees Occupational Illness Compensation Program Act of 2000, as amended, 42 U.S.C. § 7384 *et seq.*

b. Atomic weapon means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principle purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

c. Atomic weapons employee means an individual employed by an atomic weapons employer during a period when the employer was processing or producing, for the use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining and milling.

d. Atomic weapons employer means any entity, other than the United States, that:

(1) Processed or produced, for use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining and milling; and

(2) Is designated by the Secretary of Energy as an atomic weapons employer for purposes of the compensation program.

e. Atomic weapons employer facility means a facility, owned by an atomic weapons employer, that is or was used to process or produce, for use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining or milling.

f. Attorney General means the Attorney General of the United States or the United States Department of Justice.

1. Definitions. (Continued)

g. Benefit or Compensation means the money the Department pays to or on behalf of a covered employee or eligible survivor from the Energy Employees Occupational Illness Compensation Fund. However, the term "compensation" used in section 7385f(b) of the EEOICPA (with respect to entitlement to only one payment of compensation) means only the payments specified in section 7384s(a)(1) (\$150,000 lump sum payment), and in section 7384u(a) (\$50,000 payment to beneficiaries under section 5 of the RECA). Except as used in section 7385f(b), these two terms also include any other amounts paid out of the Fund for such things as medical treatment, monitoring, examinations, services, appliances and supplies as well as for transportation and expenses incident to the securing of such medical treatment, monitoring, examinations, services, appliances, and supplies.

h. Beryllium sensitization or sensitivity means that the individual is sensitized to beryllium as revealed by an abnormal beryllium lymphocyte proliferation test or lymphocyte transformation test on either blood or lung lavage cells.

i. Beryllium vendor means each of the corporations designated as beryllium vendors in section 7384l(6)(A)-(H) of the EEOICPA and also includes those facilities designated as beryllium vendors in the list periodically published in the Federal Register by DOE.

j. Bioassay means the determination of the kinds, quantities, or concentrations, and in some cases, locations of radioactive material in the human body, whether by direct measurement or by analysis, and evaluation of radioactive material excreted or eliminated by the body.

1. Definitions. (Continued)

k. Chronic silicosis means a non-malignant lung disease if:

(1) The initial occupational exposure to silica dust preceded the onset of silicosis by at least 10 years; and

(2) A written diagnosis of silicosis is made by a medical doctor and is accompanied by:

(a) A chest radiograph, interpreted by an individual certified by the National Institute for Occupational Safety and Health as a B reader, classifying the existence of pneumoconiosis of category 1/0 or higher;

(b) Results from a computer assisted tomograph or other imaging technique that are consistent with silicosis; or

(c) Lung biopsy findings consistent with silicosis.

l. Claim means a written assertion of an individual's entitlement to benefits under the EEOICPA, submitted in a manner authorized by this part.

m. Claimant means an individual claiming compensation under the Act.

n. Compensation fund or Fund means the fund established on the books of the Treasury for payment of benefits and compensation under the Energy Employees Occupational Illness Compensation Program Act.

o. Contemporaneous record means any document created at or around the time of the event that is recorded in the document.

1. Definitions. (Continued)

p. A consequential injury is any injury, illness, impairment, or disability sustained by a covered employee as a result of a covered illness.

q. Covered employee means a covered beryllium employee, a covered employee with cancer, a covered employee with chronic silicosis, or a covered uranium employee.

r. Covered uranium employee means an individual who has been informed by the Department of Justice that he or she is entitled to compensation under Section 5 of the Radiation Exposure Compensation Act, as amended, (42 U.S.C. 2210 note) for a claim made under that Act.

s. Current or former employee as defined in 5 U.S.C. 8101(1) is:

(1) A civil officer or employee in any branch of the Government of the United States, including an officer or employee of an instrumentality wholly owned by the United States;

(2) An individual rendering personal service to the United States similar to the service of a civil officer or employee of the United States, without pay or for nominal pay, when a statute authorizes the acceptance or use of the service, or authorizes payment of travel or other expenses of the individual;

(3) An individual, other than an independent contractor or individual employed by an independent contractor, employed on the Menominee Indian Reservation in Wisconsin in operations conducted under a statute relating to tribal timber and logging operations on that reservation;

(4) An individual appointed to a position on the office staff of a former President; or

1. Definitions. (Continued)

(5) An individual selected and serving as a Federal petit or grand juror.

t. Department means the United States Department of Labor.

u. Department of Energy includes the predecessor agencies of the DOE, including the Manhattan Engineering District.

v. Department of Energy contractor employee means any of the following:

(1) An individual who is or was in residence at a DOE facility as a researcher for one or more periods aggregating at least 24 months.

(2) An individual who is or was employed at a DOE facility by:

(a) An entity that contracted with the DOE to provide management and operation, management and integration, or environmental remediation at the facility; or

(b) A contractor or subcontractor that provided services, including construction and maintenance, at the facility.

w. Department of Energy facility means any building, structure, or premise, including the grounds upon which such building, structure, or premise is located:

(1) In which operations are, or have been, conducted by, or on behalf of, the DOE (except for buildings, structures, premises, grounds, or operations covered by Executive Order 12344, dated February 1, 1982, pertaining to the Naval Nuclear Propulsion Program); and

1. Definitions. (Continued)

(2) With regard to which the DOE has or had:

(a) A proprietary interest; or

(b) Entered into a contract with an entity to provide management and operation, management and integration, environmental remediation services, construction, or maintenance services.

x. Disability means, for purposes of determining entitlement to payment under EEOICPA section 7384s(a)(1), having been determined by OWCP to have or have had established chronic beryllium disease, cancer, or chronic silicosis.

y. Eligible surviving beneficiary means any individual who is entitled under EEOICPA section 7384s(e) to receive a payment on behalf of a deceased covered employee.

z. Equivalent dose means the absorbed dose in a tissue multiplied by a radiation-weighting factor to account for differences in the effectiveness of the radiation in inducing cancer.

aa. Employee means either a current or former employee.

bb. External dose means that portion of the equivalent dose that is received from radiation sources outside of the body.

1. Definitions. (Continued)

cc. The Freedom of Information Act means the law that generally provides for public access to documents maintained by the government, and it requires the government to release those documents upon request, unless the requests or documents fall within one of nine exceptions listed in the law. The FOIA requires the publication of indexes of specified agency documents and records; provides time limitations for responding to requests; establishes a system of penalties for non-compliance with the time limitations; requires identification of persons responsible for granting or denying requests; provides for court review of denials; including classified materials; and provides for the levying of charges for searching and copying requested materials.

dd. Gaseous diffusion means a uranium enrichment process based on the difference in rates at which uranium isotopes in the form of gaseous uranium hexafluoride diffuse through a porous barrier.

ee. Internal dose means that portion of the equivalent dose that is received from radioactive materials taken into the body.

ff. Occupational illness means an illness covered under the Act.

gg. Physician includes surgeons, podiatrists, dentists, clinical psychologists, optometrists, and osteopathic practitioners within the scope of their practice as defined by state law. The term "physician" includes chiropractors only to the extent that their reimbursable services are limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist.

hh. The Privacy Act means the statute governing a private citizen's right to confidentiality of personal information, including financial and medical history, in records filed



1. Definitions. (Continued)

in a system of records under the individual's own name. This law sets forth the government's responsibility to properly maintain and restrict access to these records.

ii. Probability of causation means the probability or likelihood that a cancer was caused by radiation exposure incurred by a covered employee in the performance of duty. In statistical terms, it is the cancer risk attributable to radiation exposure divided by the sum of the baseline cancer risk (the risk to the general population) plus the cancer risk attributable to the radiation exposure. Other terms for this concept include "assigned share" and "attributable risk percent."

jj. Radiation means ionizing radiation, including alpha particles, beta particles, gamma rays, X-rays, neutrons, protons and other particles capable of producing ions in the body. For purposes of the program, radiation does not include sources of non-ionizing radiation such as radio-frequency radiation, microwaves, visible light, and infrared or ultraviolet light radiation.

kk. Specified Cancers. Section 30.5 (dd) of the regulations lists the specific types of cancer a member of the SEC must be diagnosed with in order to be considered eligible for benefits as a member of the SEC. The list of specified cancers is derived from section 4(b) of the RECA Amendments of 2000. The following is the list of specified cancers:

- (1) Leukemia (other than chronic lymphocytic leukemia), if onset occurred more than two years after initial exposure.
- (2) Primary or Secondary Lung Cancer (other than in situ lung cancer that is discovered during or after a post-mortem exam).

1. Definitions. (Continued)

(3). The following diseases provided onset was at least 5 years after first exposure:

- (a) Multiple myeloma;
- (b) Lymphomas (other than Hodgkin's disease);
- (c) Primary cancer of the:
  - (i) Thyroid;
  - (ii) Male or female breast;
  - (iii) Esophagus;
  - (iv) Stomach;
  - (v) Pharynx;
  - (vi) Small intestine;
  - (vii) Pancreas;
  - (viii) Bile ducts;
  - (ix) Gall bladder;
  - (x) Salivary gland;
  - (xi) Urinary bladder;
  - (xii) Brain;
  - (xiii) Colon<sup>1</sup>;
  - (xiv) Ovary;
  - (xv) Liver (except if cirrhosis or hepatitis B is indicated);

(4) Primary or secondary bone cancer.

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<sup>1</sup> For diagnostic purposes, we consider rectum cancer as colo-rectal cancer.

1. Definitions. (Continued)

- (5) Primary or secondary renal cancers.

The specified diseases designated in this section mean the physiological condition or conditions that are recognized by the National Cancer Institute under the nomenclature or under any previously accepted or commonly used names or nomenclature.

ll. Survivor means a spouse, child, parent, grandparent, or grandchild of the deceased covered employee.

- (1) the 'spouse' of a covered employee is a wife or husband of that covered employee who was married to her/him for at least one year immediately before the death.

- (2) A 'child' includes a recognized natural child, a stepchild who lived with a covered employee in a regular parent-child relationship, and an adopted child. For additional information concerning the definition of 'child' please refer to PM2-200. And PM2-900.

- (3) A 'parent' includes a father and/or mother through adoption.

- (4) A 'grandparent' of an individual is a parent of a parent of the covered employee.

- (5) A 'grandchild' of a covered employee is a child of a child of that covered employee.

mm. Uncertainty distribution is a statistical term meaning a range of discrete or continuous values arrayed around a central estimate, where each value is assigned a probability of being correct.

nn. Workday means a single work-shift whether or not it occurred on more than one calendar day.

1. Definitions. (Continued)

oo. Worst-case assumption is a term used to describe a type of assumption for certain dose reconstructions. It assigns the highest reasonably possible value to a radiation dose of a covered employee based on reliable science, documented experience, and relevant data.

2. Acronyms. This section of the Procedure Manual lists common abbreviations for DEEOIC terms.

- a. BADPCC. Branch of Automated Data Processing, Coordination & Control
- b. BOTA. Branch of Outreach & Technical Assistance
- c. BPRP. Branch of Policy, Regulations & Procedures
- d. CDC. Centers for Disease Control
- e. CE. Claims Examiner
- f. CIS. Carcinoma in situ
- g. CLL. Chronic Lymphocytic Leukemia
- h. DD. District Director
- i. DEEOIC. Division of Energy Employees Occupational Illness Compensation
- j. DHHS. Department of Health and Human Services
- k. DMC. District Medical Consultant
- l. DO. District Office
- m. DOE. Department of Energy
- n. DOJ. Department of Justice
- o. DOL. Department of Labor
- p. ECMS. Energy Case Management System
- q. EEOICPA. Energy Employees Occupational Illness Compensation Program
- r. EEOICPA. Energy Employees Occupational Illness Compensation Program Act
- s. ESA. Employment Standards Administration
- t. FAB. Final Adjudication Branch
- u. FECA. Federal Employees' Compensation Act
- v. FOIA. Freedom of Information Act
- w. GPO. Government Printing Office
- x. NCI. National Cancer Institute
- y. NIOSH. National Institute for Occupational Safety and Health
- z. IREP. NIOSH - Interactive Radio Epidemiological Program
- aa. NO. National Office
- bb. OPM. Office of Personnel Management

- cc. ORISE. Oak Ridge Institute for Science and Education
- dd. OWCP. Office of Workers' Compensation Programs
- ee. PM. Procedure Manual
- ff. RD. Regional Director
- gg. RECA. Radiation Exposure Compensation Act
- hh. SEC. Special Exposure Cohort
- ii. SOAF. Statement of Accepted Facts
- jj. SSA. Social Security Administration

3. Forms. This section of the procedure manual lists the various forms that are used within the DEEOIC.

- a. Form EE-1, Claim for Benefits under EEOICPA.
- b. Form EE-2, Claim for Survivor Benefits under EEOICPA.
- c. Form EE-3, Employment History for Claim under EEOICPA.
- d. Form EE-4, Employment History Affidavit for Claim under the EEOICPA.
- e. Form EE-5, Department of Energy's Response to Employment History for Claim under the EEOICPA.
- f. Form EE-7, Medical Requirements under the EEOICPA.
- g. Form EE/EN-15, Pre-payment Affidavit under the EEOICPA.
- h. Form EE/EN-20, Acceptance of Payment under the EEOICPA.
- i. Form EE-915, Medical Reimbursement under the EEOICPA.
- j. Form DL 1-520, Request under the Freedom of Information Act
- k. Form ESA-67a, Privacy Act Record System Log of Disclosures
- l. Form SSA-581, Authorization to Obtain Earnings Data from the SSA
- m. Form SSA-827, Authorization to Release Medical Information to SSA
- n. Form SSA-7050, Request for Social Security Earnings Information
- o. Form OWCP-957, Travel Refund Request
- p. Form OWCP-1500, Health Insurance Claim
- q. Form UB-92, Uniform Bill for Medical Expenses
- r. Form EE-915, Claim for Medical Reimbursement Under Energy Employees Occupational Illness Compensation Program Act